

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>SILENT COMMUNICATIONS, LLC,</b>	§	
<b>Plaintiff,</b>	§	
	§	
<b>V.</b>	§	<b>Civil Action No. 6:22-cv-00252-ADA</b>
	§	
<b>BLACKBERRY CORPORATION</b>	§	
<b>Defendant</b>	§	

**DECLARATION OF CARLOS GORRICHATEGUI**

I, Carlos Gorrichategui, declare:

1. My name is Carlos Gorrichategui, and I am over the age of eighteen and competent to make this declaration. The facts stated herein are within my personal knowledge. If called upon, I could and would testify competently to them. I am currently president of Dynamic IP Deals LLC and manager of Silent Communication, LLC (a Texas limited liability company or "Texas LLC").
2. On May 2, 2020, a Patent Purchase Agreement (PPA) was entered into by Silent Communication, Ltd. (the "Seller") and Silent Communication, LLC, an Illinois limited liability company (the "Purchaser" or "Illinois LLC") wherein Silent Communication, Ltd. sold U.S. Patent No. 8,792,874 ("the '874 Patent" or "the Patent-at-Issue") to Silent Communication, LLC. Max Bluvban signed the PPA on behalf of the Seller and I signed the PPA on behalf of the Purchaser. See Doc. No. 40-2.
3. I intended for the PPA to transfer ownership of the Patent-at-Issue to Silent Communication, LLC for litigation purposes. I was not concerned with whether it was an Illinois LLC or a Texas LLC. In fact, I do not recall being told the Illinois LLC was ever formed.

4. Ultimately, I directed Silent Communication, LLC, the Texas LLC, to file suit against Blackberry Corporation. Only then did I come to understand that the PPA purported to transfer ownership to an Illinois LLC and not the Texas LLC. The transfer was intended by me to be to the LLC filing the lawsuit, the Texas LLC. I therefore directed the lawsuit to be dismissed and contacted Max Bluvban in October of 2021 to discuss correcting the PPA to have ownership transferred to the Texas LLC.
5. On or about October 3, 2021, Max Bluvban, as the representative for Silent Communication Ltd., and I, as the representative for Silent Communication, LLC, the Texas LLC, agreed that the PPA was corrected to transfer ownership to the Texas LLC, as I intended. I was informed that Max also intended the ownership to be transferred to the Texas LLC as it would be doing the litigation. It is my understanding that Max and I were in agreement on the correction of the PPA.
6. Exhibit B is a true and correct copy of a corrective patent assignment cover page I filed in the U.S. Patent and Trademark Office that shows my intent to legally effect ownership of the '874 patent in Silent Communication, LLC, a Texas limited liability company. My understanding was that this document would correct the patent assignment to the Texas LLC.
7. After the PPA was corrected on or before October 7, 2021, I directed The Texas LLC to sue Blackberry Corporation for infringing the Patent-at-Issue on March 8, 2022.
8. I believed that my agreement with Max to change the name "Silent Communication LLC, an Illinois limited liability company" to "Silent Communication LLC, a Texas limited liability company" on the first page of the PPA and the first page of "Exhibit B – Assignment of Patent Rights", would be sufficient to reform the PPA. Exhibit A is a true and correct exported copy of the PPA I created on or before October 7, 2021 in Pages, an Apple product. This date is confirmed by Exhibit D, a screenshot of my Smartsheet file structure showing a document uploaded October 7, 2021. When I converted the Pages document to a PDF on October 7, 2022, the document creation date became October 7, 2022.

9. Exhibit C is a true and correct copy of an October 14, 2021, e-mail exchange I had with an investor, Jay Cohan, of Silent Communication, LLC wherein I explained to him that we needed to correct the assignment of the Patent-at-Issue and refile the suit.
10. At no time did I forge or attempt to forge any Assignment document or PPA documents relevant to the '874 Patent that I signed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 25th day of January, 2023 in Houston, Texas.

A handwritten signature in black ink, appearing to read 'Carlos Gorrichategui', written over a horizontal line.

Carlos Gorrichategui, Ph.D